

**PERTH COUNTY COUNCIL
MINUTES**

April 30, 2009
9:00 a.m.

1. ROLL CALL

Bill Arthur, County Clerk, summoned the members of County Council and conducted the roll call.

2. OPENING PRAYER

Julie Behrns, Warden, presided with all members of County Council present . The April 30, 2009 session of Perth County Council commenced with an Opening Prayer at 9:02 a.m.

Staff in attendance:

Bill Arthur, CAO/Clerk; Carol Zimmer, Deputy Clerk; Matt Ash, Director of Public Works; Dave Hanly, Director of Planning & Development; Linda Rockwood, Director of Emergency Medical Services; Renato Pullia, Director of Corporate Services/Treasurer.

3. DISCLOSURE OF PERCUNIARY INTEREST and the general nature thereof

None declared

4. ADDITIONS TO AGENDA/ADOPTION OF AGENDA

Resolution: 2009-215

Moved by: Councillor McKay

Seconded by: Councillor Wilhelm

That the following items be added to the agenda:

8.3.3 Stratford-Perth Museum Load

8.4.2 Swine Flu Update

And that the Council agenda as amended for April 30, 2009 be approved.

Carried

5. CONSENT AGENDA

Resolution: 2009-216

Moved by: Councillor Hollinger

Seconded by: Councillor Seiler

That the Items 5.1 to 5.7 be received and the minutes of the April 16, 2009 Regular as amended and Closed Sessions be approved.

Carried

Amendment: Add 'on Clayton Street, Mitchell' to Resolution 2009-189

6. DELEGATIONS - None

7. **PUBLIC MEETING** – None

8. **ADJOURN TO COMMITTEE OF THE WHOLE**

Resolution: 2009-217

Moved by: Councillor Seiler

Seconded by: Councillor Kehl

That the Council of the County of Perth adjourns to convene as Committee of the Whole at 9:06 a.m.

Carried

Councillor McTavish chaired the Committee of the Whole.

PRESENTATION AND CONSIDERATION OF REPORTS

8.1 **Planning and Development**

8.1.1 Surplus Farm House Severance

Motion will be dealt with after Public Works reports.

8.1.2 Sonnenburg Subdivision North Perth

Resolution: 2009-218

Moved by: Councillor Forrest

Seconded by: Councillor Hollinger

THAT County Council move toward giving Draft Plan Approval for a subdivision by R. Sonnenburg Enterprises Ltd. (File: NP 07-02 (Revised)) affecting property described as Lots 147, 148 and part of Dover St. (Closed) Registered Plan No. 183, and Lots 160 and 161, Registered Plan No. 194, and Part of Lots 33, 34, 35 Concession 1 (formerly in the geographic Township of Elma), Listowel Ward, Municipality of North Perth and that the proposed conditions of draft plan approval be prepared and presented to County Council for consideration at its May 14, 2009 meeting.

Carried

8.1.3 Terrier North Perth Official Plan Amendment

Resolution: 2009-219

Moved by: Councillor Forrest

Seconded by: Councillor Wilhelm

That Perth County Council approve Amendment No. 25 to the Listowel Ward Official Plan affecting property described as part of Lot 34, Concession 1 (former Elma Township), in the Listowel Ward in the Municipality of North Perth.

Carried

8.1.4 Tree Inspection Report

Resolution: 2009-220

Moved by: Councillor McMillan

Seconded by: Councillor Van Bakel

That the tree inspection report dated April 30, 2009 be accepted as presented.

Carried

8.2 **CAO - None**

8.3 **Corporate Services**

8.3.1 2009 Final budget

Resolution: 2009-221

Moved by: Councillor Kehl

Seconded by: Councillor Wilhelm

That the 2009 budget, inclusive of expenditures of \$29,880,617 and a levy of \$9,225,724 along with the corresponding levy by-law, be hereby approved.

Carried

8.3.2 Agreement with Heritage Research Consulting Services

Resolution: 2009-222

Moved by: Councillor Behrns

Seconded by: Councillor McKay

That the agreement for the County to provide heritage research consulting services to the City of Stratford be hereby approved; and that the CAO/Clerk be authorized to affix his signature and execute the agreement thereto.

Carried

8.3.3 Stratford Perth Museum Loan

Resolution: 2009-223

Moved by: Councillor Hollinger

Seconded by: Councillor Wilhelm

That the agreement between the City of Stratford, the County of Perth, and the Stratford-Perth Museum Association, set thereto for the purpose of providing the Stratford-Perth Museum with a one-year loan to act as bridge financing, be hereby approved with the following amendment:

the Museum to repay the principal and interest by April 30, 2010, with an interest rate of 0.5% and interest calculated on date(s) of payment(s) received.

And That the Warden and Clerk be hereby authorized to affix their signatures and the corporate seal thereto.

Carried

8.4 Emergency Medical Services –

8.4.1 EMS Provincial Update

Resolution: 2009-224

Moved by: Councillor Forrest

Seconded by: Councillor Wilhelm

That Perth County Council accept the April 30, 2009 EMS Provincial update report for information only.

Carried

8.4.2 North American Influenza A N1H1

Christel Hollinger, CEMC, and Linda Rockwood, Director of Emergency Medical Services, updated the Council on the present Influenza A N1H1 situation which is now declared to be at Level 5.

8.5 Public Works

8.5.1 Tender Report for Road Construction

Resolution: 2009-225

Moved by: Councillor Wilhelm

Seconded by: Councillor Seiler

That the tenders of Lafarge Paving for contracts #09-004, #09-005, #09-006, Lavis Contracting for contract #09-003, and MSO Construction for contract #09-007 be accepted.

Carried

8.5.2 Infrastructure Stimulus Fund

Resolution: 2009-226

Moved by: Councillor McKay

Seconded by: Councillor Seiler

That the report dated April 30, 2009 regarding projects for 2009 construction be received for information.

Carried

Resolution: 2009-227

Moved by: Councillor Forrest

Seconded by: Councillor McKay

For the purpose of the ISF funding application , Perth County confirm that the resurfacing project on Perth Road 135 and construction of EMS base in Mitchell would be started in 2009 and that the budget be amended accordingly at that time.

Carried

8.1.1 Surplus Farm Severance Issue

Resolution: 2009-228

Moved by: Councillor McKay

Seconded by: Councillor Van Bakel

That further decision on the Surplus farm severance issue be deferred until June 4, 2009 Perth County Council in order to obtain further input from lower tier

Carried

9.0 MINUTES OF OUTSIDE BOARDS/COMMITTEES

10. CORRESPONDENCE

10.1 Township of Perth South– Shared Services Review

Resolution: 2009-229

Moved by: Councillor Behrns

Seconded by: Councillor Wilhelm

That correspondence from the Township of Perth South dated April 24, 2009 regarding shared services review be received and discussion be moved to closed session.

Carried

11. AMO ALERTS – See Consent Agenda

Resolution: 2009-230

Moved by: Councillor McKay

Seconded by: Councillor Seiler

That the Committee of the Whole adjourn and reconvene as Council at 11:19 a.m.

Carried

Warden Behrns resumed Chair

12. BUSINESS ARISING FROM COMMITTEE OF THE WHOLE

12.1 Removal of any Recommendations from Committee of the Whole - None

12.2 Deferral of Recommendations from Committee of the Whole - None

12.3 Endorsement of Recommendations from Committee of the Whole

Resolution: 2009-231

Moved by: Councillor McTavish

Seconded by: Councillor Wilhelm

That the Council of the Corporation of the County of Perth endorses all recommendations from Committee of the Whole from April 30, 2009.

Carried

13. **NOTICE OF MOTIONS** – None

14. **NEW BUSINESS** –

14.1 Draft agenda for May 21st Closed Session will be distributed May 14th and any additions to be forwarded to CAO or Deputy Clerk

14.2 Council invited to tour Stratford Perth Museum once construction completed

15. **BY-LAWS** –

15.1 By-law 3136-2009 – 2009 Tax Levy

Resolution: 2009-232

Moved by: Councillor Seiler

Seconded by: Councillor McTavish

That By-law 3136-2009 being a by-law to adopt the 2009 Estimates and to Establish the General County Requisition for the Year 2009 be read a first and second time.

Carried

Resolution: 2009-233

Moved by: Councillor McMillan

Seconded by: Councillor Kehl

That By-law 3136-2009 being a by-law to adopt the 2009 Estimates and to establish the General County Requisition for the Year 2009 be read a third and final time

AND THAT the Warden and the Clerk are hereby authorized and instructed to sign the same, and attach the Corporate Seal thereto

Carried

15.2 By-law 3138-2009 Stratford Perth Museum Funding

Resolution: 2009-234

Moved by: Councillor Hollinger

Seconded by: Councillor Van Bakel

That By-law 3138-2009 being a By-law to authorize the execution of an agreement with the Corporation of the City of Stratford and the Stratford-Perth Museum Association be read a first and second time.

Carried

Resolution: 2009-235

Moved by: Councillor Kehl

Seconded by: Councillor McKay

That By-law 3138-2009 being a By-law to authorize the execution of an agreement with the Corporation of the City of Stratford and the Stratford-Perth Museum Association be a read a third and final time

AND THAT the Warden and the Clerk are hereby authorized and instructed to sign the same, and attach the Corporate Seal thereto.

Carried

16. **CLOSED SESSION –**

Resolution: 2009-236

Moved by: Councillor Wilhelm

Seconded by: Councillor Forrest

That Perth County Council move to Closed Session in accordance with Sec. 239 of the Municipal Act S.O. 2001, c. 25 (as amended), at 11:39 a.m. regarding subject matter as follows:

- The security of the property of the municipality or local board and
- Personnel matters about an identifiable individual, including municipal or local board employees
- Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board

Carried

Resolution: 2009-237

Moved by: Councillor Forrest

Seconded by: Councillor Wilhelm

That the Council of the Corporation of the County of Perth rises from Closed Session and reconvenes the regular meeting at 12:10 p.m.

Carried

Resolution: 2009-238

Moved by: Councillor Van Bakel

Seconded by: Councillor Forrest

That the resignation of Calvin Strathdee be received with regret and staff be directed to advertise for a replacement from West Perth area to fill the remainder of the term.

Carried

Resolution: 2009-239

Moved by: Councillor Forrest

Seconded by: Councillor Seiler

That the County of Perth obtain a legal opinion as to whether to proceed with legal action regarding File #T2/2009 and that the County of Perth proceed with legal action if the legal opinion recommends to do so.

Carried

Resolution: 2009-240

Moved by: Councillor Forrest

Seconded by: Councillor McKay

That the County of Perth withdraw the outstanding OPA No. 47 changes for the Shakespeare area at this time, which changes are identified as follows:

(i) Item 80 on Page 46 and the Schedule "A-70-2" map changes as they relate to the Item 80 lands be withdrawn (including removal of the two asterisks on the Lots 21 and 22, Concession 1, North Easthope Ward lands);

(ii) The last sentence in Section 6.5.4.13(a) as set out in Item 23 on Page 22 be withdrawn;

(iii) Item 91 on Page 57 and the Schedule "A-70-17" map be withdrawn; and

(iv) Section 5.5.23 in Item 69 on Page 52 be withdrawn.

Further that the County authorize its solicitor to inform the Ontario Municipal Board and other Parties to the OMB Hearing of this and to take action, as required, to give effect to the withdrawal of the above-noted OPA No. 47 changes;

And further that the above-noted changes are being withdrawn at this time due to issues related to the proposed servicing of Shakespeare with a municipal sewage treatment facility and not due to reasons associated with MMAH's position that there is insufficient justification for the expansion of the "Village" designation for Shakespeare.

Carried

18. CONFIRMATORY BY-LAW

Resolution: 2009-241

Moved by: Councillor Kehl

Seconded by: Councillor McMillan

That By-law 3139-2009 being a By-law to confirm the proceedings of the Council of the Corporation of the County of Perth, at its regular meeting on April 30, 2009 be read a first, second and third time and

That the Warden and Clerk are hereby authorized and instructed to sign the same, and attach the Corporate Seal thereto.

Carried

19. **ADJOURNAMENT**

Resolution: **2009-242**
Moved by: Councillor McKay
Seconded by: Councillor Forrest
That this meeting adjourns at 12:15 p.m.

"Julie Behrns"

Warden, Julie Behrns

"R. William Arthur"

Clerk, R. William Arthur